

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-4029-CR-C-NKL
)	
DAVID ELBY SHAFER,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On December 30, 2005, Judge William A. Knox, United State Magistrate Judge, recommended that the Court enter an Order denying David Elby Shafer's ("Shafer") Motion to Suppress. *See* Report and Recommendation [Doc. # 51]. The Magistrate's Report and Recommendation reminded the parties that they had ten days from the date of receipt of a copy of the Report and Recommendation to file and serve objections to same. Neither party has filed an objection to the Magistrate's Report and Recommendation.

Having conducted an independent review of the record, the Court concludes that Judge Knox's Report and Recommendation should be adopted. The Magistrate's Report and Recommendation found that Shafer voluntarily consented to the search of his briefcase that contained Shafer's financial documents. The record also shows that the agents conducting the search adhered to the scope of Shafer's consent in that they did not search the residence as a whole, but instead focused solely on the briefcase and its contents. Shafer was advised of his *Miranda* rights prior to giving his consent. The

Court has reviewed the record from the suppression hearing conducted by Judge Knox on December 19, 2005, and it finds that the credible evidence provided at the hearing supports Judge Knox's Report and Recommendation.

Accordingly, it is hereby

ORDERED that Judge Knox's Report and Recommendation of December 30, 2005, is adopted.

s/ Nanette K. Laughrey
NANETTE K. LAUGHREY
United States District Judge

DATE: February 28, 2006
Jefferson City, Missouri